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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.            | CONFIRMATION NO. |
|--|-------------|----------------------|--------------------------------|------------------|
| 10/708,926   | 04/01/2004  | Mark A. Fredette     | 24.0808                        | 2925             |
| 23718 7590 03/26/2007<br>SCHLUMBERGER OILFIELD SERVICES<br>200 GILLINGHAM LANE<br>MD 200-9<br>SUGAR LAND, TX 77478 |             |                      | EXAMINER<br>SCHINDLER, DAVID M |                  |
|  |             |                      | ART UNIT                       | PAPER NUMBER     |
|  |             |                      | 2862                           |                  |

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE  | DELIVERY MODE |
|--|------------|---------------|
| 30 DAYS                                | 03/26/2007 | PAPER         |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.

10/708,926

Examiner

David M. Schindler

Applicant(s)

FREDETTE ET AL.

Art Unit

2862

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 19 December 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☒ C. Other See Continuation Sheet.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
\_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment; a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or


**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.



Continuation of 4(e) Other: The claims appear to have features that have been added to them; however, the additions have not been indicated (i.e. they have not been underlined). Furthermore, these claims appear to have an incorrect status identifier (i.e. they are indicated with the identifier "previously presented", whereas they should be identified as "currently amended." See for example Claim 10 which now states "a shield disposed on and about the tubular to cover the recess and the lateral" on line 5. The phrase "and about" as well as the phrase "the recess" do appear to be present in the previously presented claims. A similar issue exists in Claim 35. Also, note the last paragraph of page 1 of the Remarks which talks about, in part, "Amended Claim 10" as well as the phrase "As presently amended, claim 35" which can be found in the middle paragraph of page 3 of the Remarks. With regard to this, applicant is respectfully requested to review the claims and to clearly identify all claim amendments. Finally, the Examiner notes that it applicant is attempting to change the title; however, the original title appears to be "[A COMBINED PROPAGATION AND LATERAL RESISTIVITY DOWNHOLE TOOL]" (note the brackets), and not the title utilized by the amendment of 12/19/2006. Therefore, it is suggested to utilize the entire title when replacing it.



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